AUSA Christopher Varner 313-226-9684
Special Agent William Misner 810-989-5056

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America
v.
Arlind NARKAJ

Case: 2:17-mj-30310
Assigned To : Unassigned
Assign. Date : 6/21/2017
Description: CMP USA v. NARKAJ (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 4th, 2017 in the county of Macomb in the EASTERN District of MICHIGAN, the defendant(s) violated:

Code Section	*Offense Description*
TITLE 8, UNITED STATES CODE, SECTION 1326(a)	Arlind NARKAJ, an alien from Albania, was found in the United States after having been removed therefrom on or about September 27, 2010, at or near Chicago, Illinois and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

This criminal complaint is based on these facts:
PLEASE SEE ATTACHED AFFIDAVIT.

☑ Continued on the attached sheet.

Complainant's signature

William Misner, Border Patrol Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: JUN 2 1 2017

Judge's signature

City and state: Detroit MI

HON. MONA K. MAJZOUB, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, William D. Misner, being duly sworn depose and state the following under penalty of perjury:

1. Affiant is a United States Border Patrol Agent with the United States Border Patrol (USBP), Department of Homeland Security, with over six years of experience as a Border Patrol agent, duly appointed according to law and acting as such. Affiant is assigned to the Marysville Border Patrol Station in Marysville, Michigan as a Border Patrol Agent and has worked criminal and administrative violations of immigration law as described in Immigration Nationality Act (INA) and Titles 8, 18, and 21 of the United States Code. Affiant has attended and graduated from the U.S. Border Patrol Academy in November of 2010 in Artesia, New Mexico.

2. This affidavit is made in support of a criminal complaint and the issuance of an arrest warrant for NARKAJ, Arlind, DOB: 03/09/1990, A#095 476 045 for a violation of Title 8, United States Code, Section 1326(a), unlawful reentry of a removed alien.

3. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.

4. 10/21/2004 NARKAJ was granted Asylum by an Immigration judge in New York, New York.

5. 12/05/2007 NARKAJ's status was adjusted to Lawful Permanent Resident.

6. 07/16/2009 NARKAJ was convicted in the 16th Judicial Circuit Court in Mount Clemens, Michigan for the offense of HOME INVASION-2ND DEGREE, 4 Counts; (Docket# 2008-003965-FH), in violation of MCL 750.110A3. For these offenses, NARKAJ was sentenced to a term of 12 months imprisonment and 3 years of probation.

7. 07/16/2009 NARKAJ was convicted in the 16th Judicial Circuit Court in Mount Clemens, Michigan for the offense of HOME INVASION-2ND DEGREE; (Docket# 2008-003963-FH), in violation of MCL 750.110A3.

For this offense, NARKAJ was sentenced to a term of 12 months imprisonment and 3 years of probation.

8. 11/04/2009 NARKAJ was encountered by I.C.E. at the Macomb County Jail where he was serving a sentence on home Invasion charges. NARKAJ was issued an NTA. NARKAJ's final charge code was R2A2 Conviction of two crimes involving moral turpitude.

9. 03/10/2010 NARKAJ was ordered removed by an Immigration Judge.

10. 08/24/2010 Board of Immigration Appeals upheld the Order to Remove.

11. 09/27/2010 NARKAJ was removed to Albania through Chicago, Illinois.

12. NARKAJ has a current Warrant of Arrest from the Detroit police Department/36th District Court for "Failure to appear for traffic offenses" OCA 094204141.

13. On June 04, 2017, at approximately 12:30 p.m., Border Patrol Agent Coronado was dispatched by Supervisory Border Patrol Agent (SBPA) K. Rosberg to assist the Shelby Township Police Department located at 52700 Van Dyke Ave, Shelby Township, MI. Agent Coronado was advised by SBPA Rosberg that the Shelby Police Department needed assistance with the identification of an individual they had in custody. The subjects name was NARKAJ, Arlind. Subject had been detained by Shelby Township PD for several criminal violations.

14. Agent Coronado arrived on scene at approximately 1:00 p.m. Agent Coronado identified himself as a U.S. Border patrol Agent to a subject who identified himself as NARKAJ, Arlind. After interviewing the subject it was determined that NARKAJ was a citizen of Albania without any Immigration documents or papers which would allow him to remain legally in the United States. NARKAJ, Arlind was then placed under arrest and transported to the Marysville Border Patrol Station for processing.

15. On June 04, 2017, NARKAJ's name, fingerprints, DOB: 03/07/1990, and A#095 476 045 were searched in the I-AFIS FBI systems and IDENT immigration systems by US Border Patrol agents. NARKAJ's DOB:

03/07/1990, A#095 476 045 and fingerprints returned and with a positive match for NARKAJ, Arlind, DOB: 03/07/1990, A#095 476 045, (FBI#261564WC7), (FIN#1036516469); a previously removed/deported alien.

16. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in Sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code, to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

17. Based on the above information, I believe there is probable cause to conclude that NARKAJ, Arlind, is an alien who is present in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).

William D. Misner
Border Patrol Agent
U.S. Border Patrol
Marysville, Michigan

Sworn to and subscribed before me
on this 21 day Of June, 2017.

Honorable
United States Magistrate Judge
Eastern District of Michigan